

Glenn Hornal - RE: Planning Proposal | Wyong LEP 2013 | Major Amendment 1 | PP_2014_WYONG_011_00 - PART 1 of 3

From: "Heintz, Kathryn" <KLHeintz@wyong.nsw.gov.au>
To: Glenn Hornal <Glenn.Hornal@planning.nsw.gov.au>
Date: 9/12/2014 9:45 AM
Subject: RE: Planning Proposal | Wyong LEP 2013 | Major Amendment 1 | PP_2014_WYONG_011_00 - PART 1 of 3
CC: "Folitarik, Wesley" <WPFolitarik@wyong.nsw.gov.au>, "Mann, Steven" <SJMann@wyong.nsw.gov.au>
Attachments: FBL_Amended_012.pdf; Planning Proposal - Wyong LEP 2013 - Major Amendment 1.doc; LZN_Amended_017.pdf

Hi Glenn,

Comments below in **purple**.

I have attached an amended planning proposal and 2 amended maps.

In relation to the 2 other matters:

Classification of 155 Louisiana Road, Wadalba

In relation to 155 Louisiana Road, Wadalba – I have double checked and this site is classified as operational. The property was classified as operational according to the resolution that also authorised acquisition of the property. The following resolution was made at the Ordinary Meeting of Council on June 8 2005:

1. *That Council authorise the acquisition of Lot 1 DP 369486 Pacific Highway, Wadalba for use in conjunction with playing fields in the Wadalba area*

.....

5. *That Council propose classification of Lot 1 DP 369486 as Operational Land.*
6. *That if no adverse submissions are received the classification be confirmed.*

The report to Council of June 8 contained the following paragraph:

"The Public Land Classification Table adopted by Council at its meeting held on August 14 1996 proposed that land owned for Open Space and Recreation purposes should be classified as Community Land.

Due to the early stage of planning for the facilities at this location it is proposed to classify the land as operational consistent with the classification of the adjoining land owned by Council and

required for the same purpose."

The proposed classification was advertised on 28/12/2005, and a notation was placed on the property signifying operational land on 13/2/2006.

I note that it is included in the Planning Proposal to reclassify a number of sites to operational – so I will advise Lynda Hirst and perhaps this site can be removed from the proposal.

Requested FSR Legend Amendments

I have looked into this issue with the X – 4.1:1 but cannot find this on any of the FSR maps on the legislation website. As a result, I have removed this from the Planning Proposal (attached).

In relation to the other requested FSR amendment, I have also incorporated this into the Planning Proposal (attached).

Hoping this covers everything – just let me know if I have left something out.

Thanks,

Kathryn

Kathryn Heintz

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From: Glenn Horal [mailto:Glenn.Horal@planning.nsw.gov.au]

Sent: Wednesday, 3 December 2014 12:28 PM

To: Heintz, Kathryn

Subject: RE: Planning Proposal | Wyong LEP 2013 | Major Amendment 1 | PP_2014_WYONG_011_00 - PART 1 of 3

Hi Kathryn,

Just a couple of matters to clarify please refer to DP&E Response at:

- Item 2(a) and 2(b)
- Item 3
- Item 5(c)
- Item 6(b)

One other matter was identified which is related to 155 Louisiana Road, Wadalba. In the explanation of provisions underneath the aerial photo of the park it states "this site is classified as operation land". I don't think this is the case as it is included in a separate reclassification proposal currently with the Department. I

suggest this should be amended prior to public exhibition post Gateway.

regards

Glenn

Glenn Hornal

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>>> "Heintz, Kathryn" <KLHeintz@wyong.nsw.gov.au> 24/11/2014 1:56 pm >>>
Hi Glenn,

Thanks for your email. I have provided a response to each issue in red as follows (please note the mapping and Planning Proposal will be sent separately due to size issues):

1. Additional Permitted Uses

- APU Map_017 should be updated to include recent Wyong LEP 2013 Amendments 5 (removed Item 24) and Amendment 6 (added Item 28).

Map_017 has been updated to remove Item 24 and add Item 28. New PDF attached for APU_017.

Item 28 was previously used for the Sewage Treatment Plant at Tuggerah, so its Item No is now Item 30. Subsequently new PDFs (APU_007B & APU_010) are attached to reflect this change.

The Planning Proposal has been amended to refer to Item 30 accordingly.

DP&E - Agree that these matters are resolved.

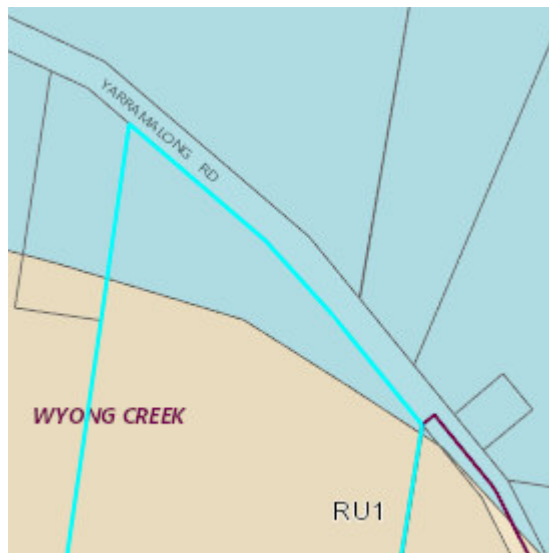
✓

2. Drinking Water Catchment

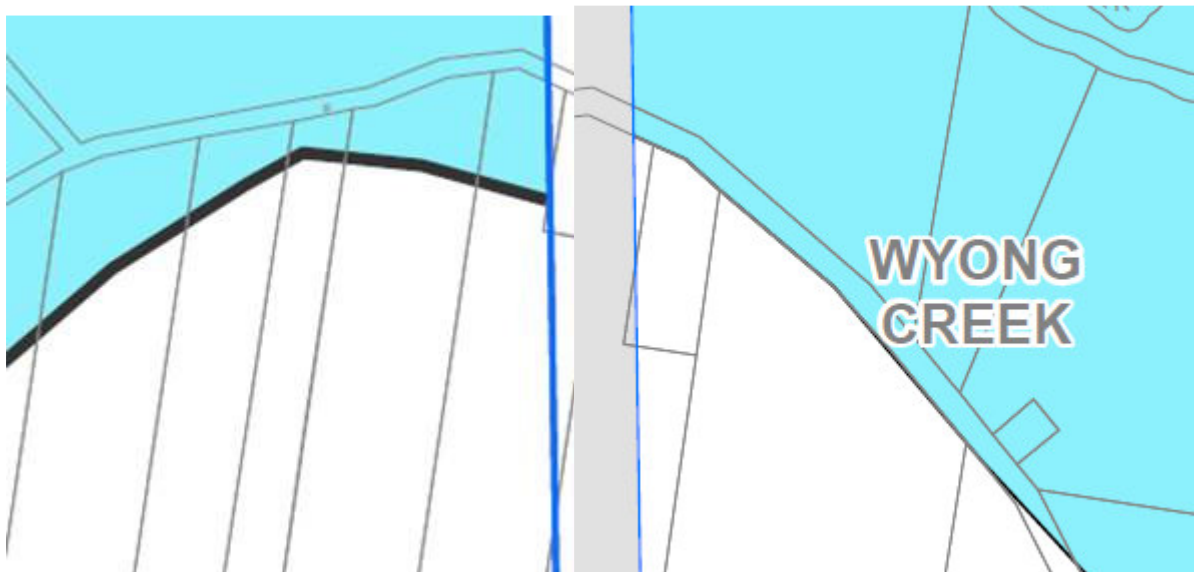
- Lot 2 DP1000387 (102 Yarramalong Rd) is not included in the gazetted Drinking Water Catchment Map therefore should be removed from the PP.

I have checked and 102 Yarramalong Road is included in the gazetted map as follows, and does not need to be removed from the PP:

DP&E - Disagree. The map you have attached appears to be from Council Mapping website and I agree the lots appear to be affected by the drinking water catchment. However the gazetted map you should be using is the map on the Legislation NSW website which I have attached for comparison as this is the map that will be amended. Please check map tiles DWC_007B and DWC_007 on the legislation website. The PP can't remove an affectation that doesn't exist on the gazetted maps and therefore I think Lot 2 DP1000387 (102 Yarramalong Rd) and Lot 5 DP557014 (126 Yarramalong Rd) should be removed from the PP. I can condition the removal of these lots from the PP prior to agency consultation and public exhibition.



I have checked the PDF maps and there seems to be a bit of a disconnect between Map 7 and Map 7B, where the boundary lines do not match up. See below. Council's mapping system is based on shapefiles supplied by DP&E so I am not sure why we have the incorrect boundaries. I have removed these sites from the Planning Proposal as, like you said, they don't need to be removed from the maps, and any inconsistency between the 2 map sheets will be resolved by the amendment anyway.



- (b) Lot 5 DP557014 (126 Yarramalong Rd) does not appear to be included in the gazetted map and therefore should be removed from the PP. Council should confirm this is the case.

I have checked and 126 Yarramalong Road is included in the gazetted map as follows, and does not need to be removed from the PP:

DP&E - Disagree. Please see answer at 2(a) above. **Please see my response above.**



3. Foreshore Building Line

- Council has identified a number of properties that it wants included in the foreshore building line area and proposes to include them in the Foreshore Building Line Map. Council has advised under Wyong LEP 1991 the properties were affected by a foreshore building line which was fixed by a Council Resolution but not mapped in Wyong LEP 1991 therefore was not converted into Wyong LEP 2013 in error and it is proposed to reinstate the properties within the FBL mapping. The selection of the properties appear somewhat ad-hoc. Council should provide some explanation as to why these sites are included and other are not.

FBL mapping has been updated to incorporate the following sites (sorry, I was originally given an incorrect list of sites– this one is correct below and also incorporates differing FBL distances which was not advised last time). I have updated the Planning Proposal accordingly. New FBL_012 is also attached to this email.

DP&E - Agree that these matters are resolved. There is a minor encroachment of the FBL over the boundary into Lot 171/218002 in the north west of the site. It looks like a polygon error in map production. I can condition this to be fixed up for exhibition.

The map has been amended to remove Lot 171 DP 218002 and is attached to this email.

PARCELS	FBL DISTANCE	ADDRESS
Lot 97 DP 218002	20 metres	203 Birdwood Dr BLUE HAVEN NSW 2262
Lot 98 DP 218002	20 metres	201 Birdwood Dr BLUE HAVEN NSW 2262
Lot 99 DP 218002	20 metres	199 Birdwood Dr BLUE HAVEN NSW 2262
Lot 100 DP 218002	20 metres	197 Birdwood Dr BLUE HAVEN NSW 2262
Lot 101 DP 218002	20 metres	195 Birdwood Dr BLUE HAVEN NSW 2262
Lot 102 DP 218002	17.75 metres	193 Birdwood Dr BLUE HAVEN NSW 2262
		191 Birdwood Dr BLUE HAVEN NSW

Lot 103 DP 218002	18 metres	
Lot 104 DP 218002	14.25 metres	189 Birdwood Dr BLUE HAVEN NSW 2262
Lot 105 DP 218002	12 metres	187 Birdwood Dr BLUE HAVEN NSW 2262
Lot 106 DP 218002	17.5 metres	185 Birdwood Dr BLUE HAVEN NSW 2262
Lot 107 DP 218002	11 metres	183 Birdwood Dr BLUE HAVEN NSW 2262
Lot 108 DP 218002	20 metres	181 Birdwood Dr BLUE HAVEN NSW 2262
Lot 109 DP 218002	16 metres	179 Birdwood Dr BLUE HAVEN NSW 2262
Lot 110 DP 218002	20 metres	177 Birdwood Dr BLUE HAVEN NSW 2262
Lot 111 DP 218002	14.5 metres	175 Birdwood Dr BLUE HAVEN NSW 2262
Lot 112 DP 218002	16.5 metres	173 Birdwood Dr BLUE HAVEN NSW
Lot 113 DP 218002	14.5 metres	171 Birdwood Dr BLUE HAVEN NSW 2262
Lot 114 DP 218002	17 metres	169 Birdwood Dr BLUE HAVEN NSW 2262
Lot 115 DP 218002	20 metres	167 Birdwood Dr BLUE HAVEN NSW 2262
Lot 116 DP 218002	16 metres	163 Birdwood Dr BLUE HAVEN NSW 2262
Lot 117 DP 218002	18 metres	161 Birdwood Dr BLUE HAVEN NSW 2262
Lot 118 DP 218002	14 metres	159 Birdwood Dr BLUE HAVEN NSW 2262
Lot 119 DP 218002	19.5 metres	157 Birdwood Dr BLUE HAVEN NSW 2262
Lot 120 DP 218002	20 metres	155 Birdwood Dr BLUE HAVEN NSW 2262
Lot 121 DP 218002	20 metres	153 Birdwood Dr BLUE HAVEN NSW 2262
Lot 122 DP 218002	20 metres	151 Birdwood Dr BLUE HAVEN NSW 2262
Lot 123 DP 218002	20 metres	149 Birdwood Dr BLUE HAVEN NSW 2262
Lot 124 DP 218002	20 metres	147 Birdwood Dr BLUE HAVEN NSW 2262
Lot 125 DP 218002	20 metres	145 Birdwood Dr BLUE HAVEN NSW
Lot 126 DP 218002	20 metres	143 Birdwood Dr BLUE HAVEN NSW 2262
Lot 127 DP 218002	20 metres	141 Birdwood Dr BLUE HAVEN NSW 2262
Lot 128 DP 218002	20 metres	139 Birdwood Dr BLUE HAVEN NSW 2262
Lot 129 DP 218002	20 metres	137 Birdwood Dr BLUE HAVEN NSW 2262
Lot 130 DP 218002	17.5 metres	135 Birdwood Dr BLUE HAVEN NSW 2262
Lot 131 DP 218002	20 metres	133 Birdwood Dr BLUE HAVEN NSW 2262
Lot 132 DP218002	17.5 metres	131 Birdwood Dr BLUE HAVEN NSW 2262
Lot 133 DP 218002	18 metres	129 Birdwood Dr BLUE HAVEN NSW 2262
		127 Birdwood Dr BLUE HAVEN NSW

Lot 134 DP 218002	20 metres	2262
Lot 135 DP 218002	18 metres	125 Birdwood Dr BLUE HAVEN NSW 2262
Lot 136 DP 218002	20 metres	123 Birdwood Dr BLUE HAVEN NSW
Lot 137 DP 218002	16.5 metres	121 Birdwood Dr BLUE HAVEN NSW 2262
Lot 138 DP 218002	20 metres	119 Birdwood Dr BLUE HAVEN NSW 2262
Lot 139 DP 218002	18.5 metres	117 Birdwood Dr BLUE HAVEN NSW 2262
Lot 140 DP 218002	18 metres	115 Birdwood Dr BLUE HAVEN NSW 2262
Lot 141 DP 218002	18.5 metres	113 Birdwood Dr BLUE HAVEN NSW 2262
Lot 142 DP 218002	15.5 metres	111 Birdwood Dr BLUE HAVEN NSW 2262
Lot 143 DP 218002	20 metres	109 Birdwood Dr BLUE HAVEN NSW 2262
Lot 144 DP 218002	20 metres	107 Birdwood Dr BLUE HAVEN NSW 2262
Lot 145 DP 218002	20 metres	105 Birdwood Dr BLUE HAVEN NSW
Lot 146 DP 218002	20 metres	103 Birdwood Dr BLUE HAVEN NSW 2262
Lot 147 DP 218002	20 metres	101 Birdwood Dr BLUE HAVEN NSW
Lot 148 DP 218002	20 metres	99 Birdwood Dr BLUE HAVEN NSW 2262
Lot 149 DP 218002	20 metres	97 Birdwood Dr BLUE HAVEN NSW 2262
Lot 150 DP 218002	20 metres	95 Birdwood Dr BLUE HAVEN NSW 2262
Lot 151 DP 218002	20 metres	93 Birdwood Dr BLUE HAVEN NSW 2262
Lot 152 DP 218002	20 metres	91 Birdwood Dr BLUE HAVEN NSW 2262
Lot 153 DP 218002	20 metres	89 Birdwood Dr BLUE HAVEN NSW 2262
Lot 154 DP 218002	20 metres	87 Birdwood Dr BLUE HAVEN NSW 2262
Lot 155 DP 218002	20 metres	85 Birdwood Dr BLUE HAVEN NSW 2262
Lot 156 DP 218002	20 metres	83 Birdwood Dr BLUE HAVEN NSW 2262
Lot 157 DP 218002	20 metres	81 Birdwood Dr BLUE HAVEN NSW 2262
Lot 158 DP 218002	10 metres	79 Birdwood Dr BLUE HAVEN NSW
Lot 159 DP 218002	20 metres	77 Birdwood Dr BLUE HAVEN NSW 2262
Lot 160 DP 218002	20 metres	75 Birdwood Dr BLUE HAVEN NSW 2262
Lot 161 DP 218002	20 metres	73 Birdwood Dr BLUE HAVEN NSW 2262
Lot 162 DP 218002	20 metres	71 Birdwood Dr BLUE HAVEN NSW 2262
Lot 163 DP 218002	20 metres	67-69 Birdwood Dr BLUE HAVEN NSW 2262
Lot 164 DP 218002	20 metres	67-69 Birdwood Dr BLUE HAVEN NSW 2262
		65 Birdwood Dr BLUE HAVEN NSW

Lot 165 DP 218002	20 metres	2262
Lot 166 DP 218002	15.75 metres	63 Birdwood Dr BLUE HAVEN NSW 2262
Lot 167 DP 218002	17.5 metres	61 Birdwood Dr BLUE HAVEN NSW 2262
Lot 168 DP 218002	20 metres	59 Birdwood Dr BLUE HAVEN NSW 2262
Lot 169 DP 218002	20 metres	57 Birdwood Dr BLUE HAVEN NSW
Lot 170 DP 218002	20 metres	55 Birdwood Dr BLUE HAVEN NSW 2262
Lot 160 DP 218077	20 metres	60 Turner Close BLUE HAVEN NSW 2262
Lot 130 DP 218077	20 metres	58 Turner Close BLUE HAVEN NSW 2262
Lot 2 DP 805316	15.5 metres	56 Turner Close BLUE HAVEN NSW 2262
Lot 1 DP 805316	20 metres	54 Turner Close BLUE HAVEN NSW 2262
Lot 133 DP 218077	15.5 metres	52 Turner Close BLUE HAVEN NSW 2262
Lot 134 DP 218077	16 metres	50 Turner Close BLUE HAVEN NSW 2262
Lot 135 DP 218077	20 metres	48 Turner Close BLUE HAVEN NSW 2262
Lot 136 DP 218077	16 metres	46 Turner Close BLUE HAVEN NSW 2262
Lot 137 DP 218077	20 metres	44 Turner Close BLUE HAVEN NSW 2262
Lot 138 DP 218077	17 metres	42 Turner Close BLUE HAVEN NSW 2262
Lot 139 DP 218077	14 metres	40 Turner Close BLUE HAVEN NSW 2262
Lot 140 DP 218077	17 metres	38 Turner Close BLUE HAVEN NSW
Lot 141 DP 218077	14 metres	36 Turner Close BLUE HAVEN NSW 2262
Lot 142 DP 218077	20 metres	34 Turner Close BLUE HAVEN NSW 2262
Lot 143 DP 218077	20 metres	32 Turner Close BLUE HAVEN NSW 2262
Lot 144 DP 218077	20 metres	30 Turner Close BLUE HAVEN NSW 2262
Lot 145 DP 218077	20 metres	28 Turner Close BLUE HAVEN NSW 2262
Lot 146 DP 218077	17 metres	26 Turner Close BLUE HAVEN NSW 2262
Lot 147 DP 218077	20 metres	24 Turner Close BLUE HAVEN NSW 2262
Lot 148 DP 218077	20 metres	22 Turner Close BLUE HAVEN NSW 2262
Lot 149 DP 218077	20 metres	20 Turner Close BLUE HAVEN NSW 2262
Lot 150 DP 218077	20 metres	18 Turner Close BLUE HAVEN NSW 2262
Lot 151 DP 218077	20 metres	16 Turner Close BLUE HAVEN NSW
Lot 152 DP 218077	20 metres	14 McKellar Boulevard BLUE HAVEN 2262
		12 McKellar Boulevard BLUE HAVEN

Lot 17 DP 615388	20 metres	2262
Lot 18 DP 615388	16.75 metres	10 McKellar Boulevard BLUE HAVEN 2262
Lot 155 DP 218077	20 metres	8 McKellar Boulevard BLUE HAVEN 2262
Lot 156 DP 218077	20 metres	6 McKellar Boulevard BLUE HAVEN 2262
Lot 157 DP 218077	20 metres	4 McKellar Boulevard BLUE HAVEN 2262
Lot 158 DP 218077	20 metres	2 McKellar Boulevard BLUE HAVEN 2262
Lot 161 DP 218077	20 metres	38 McKellar Boulevard BLUE HAVEN 2262
Lot 162 DP 218077	20 metres	40 McKellar Boulevard BLUE HAVEN 2262
Lot 163 DP 218077	20 metres	42 McKellar Boulevard BLUE HAVEN 2262
Lot 512 DP 594721	20 metres	53A Allambee Cres BLUE HAVEN NSI 2262
Lot 52 DP 215432	20 metres	55 Allambee Cres BLUE HAVEN NSI 2262
Lot 54 DP 215432	14 metres	57 Allambee Cres BLUE HAVEN NSI 2262
Lot 55 DP 215432	20 metres	59 Allambee Cres BLUE HAVEN NSI 2262
Lot 56 DP 215432	14 metres	61 Allambee Cres BLUE HAVEN NSI 2262

4. Height of Buildings

- R2 Low Density Residential Zoned Land across the LGA. Council seek to amend all R2 zoned land from 8.5m to 9.5m height limit. Some R2 zoned land in the LGA does not have a maximum building height limit. Council should clarify that the increase in height would only apply to R2 zoned land where there is mapped 8.5m building height limit on the HOB map and won't apply to R2 land that is unmapped on HOB map.

I can confirm that this change would only apply to R2 zoned land where there is a mapped 8.5m building height limit on the HOB map and won't apply to R2 land that is unmapped on HOB map. I have updated the Planning Proposal to make this clear.

DP&E - Agree that this matter is resolved.



5. Land Reservation Acquisition

- (a) RMS Sites
 - Council has advised that sites required for acquisition by the RMS for the purposes of road widening were received too late to incorporate into the exhibition of the its SI LEP. Council proposes to include the sites in the LRA Maps and also zone the sites SP2 Infrastructure - Classified Road. There are 10 Map tiles LRA and Zoning Map tiles that are affected. Council has advised there are too many sites to include in the explanation of provisions. Council is required to provide a list of the sites so the community can identify the proposed sites to be included for acquisition and rezoning. An attachment identifying the RMS sites would be sufficient.

New Attachment 6 attached to this email and Planning Proposal amended to refer to Attachment 6.

DP&E - Agree this matter is resolved.

✓

(b) Sites no longer required for acquisition

- Council has identified Lot 9 DP14527 (18 Manning Road, The Entrance) has been acquired by Council. Wyong LEP 2013 still has the lot identified in 5.1A Development on land intended to be acquired for public purposes. Given the lot has been acquired by Council the lot should be removed from this clause.

The wording of the clause is flexible enough to exempt this site from the application of the restriction – but I have updated the Planning Proposal to request that this site is removed from Clause 5.1A nonetheless.

DP&E - Agree this matter is resolved.

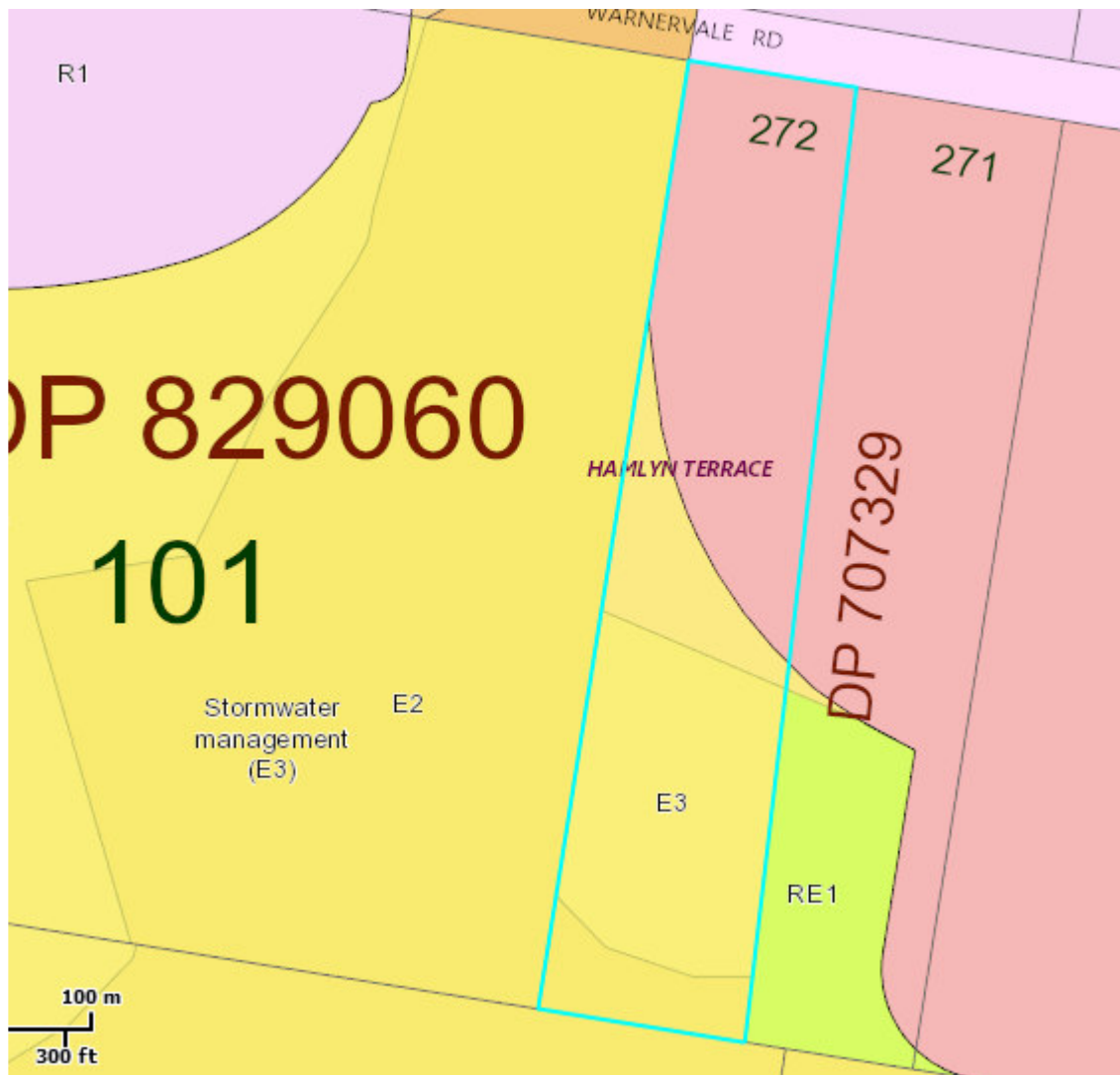
✓

(c) 125-129 Warnervale Road, Hamlyn Terrace. It is not clear from the LRA map provided what area Council is changing given the resolution is not at a scale that can accurately define the area. Council should clarify what it is changing.

As described in the planning proposal, the acquisition mapping for 125-129 Warnervale Road, Hamlyn Terrace is slightest anomalous when compared to the Land Zoning map for this site. See the below map to see the small area of R2 zoned land (just to the north of the E3 zoned land) that should not be mapped for acquisition. I have updated the wording in the planning proposal to refer to this small area of R2 zoned land.

DP&E - Agree this matter is resolved. I note the planning proposal now includes a small part of the adjoining lot 131-137 Warnervale Road however the property description for this address is wrong in the PP and it should be Lot 271 DP 707329 as shown in Council's map below. I can condition the fix up for exhibition.

The PP has been amended to refer to Lot 271 instead of Lot 272 for 131-137 Warnervale Road and is attached to this email.



- (d) 107 Sparks Road, Woongarra is identified by Council as Lot 4 DP7738. However SIX maps identifies it as Lot 41 DP1200210. It appears the cadastre has also changed. Council should confirm the property description.

I have investigated this issue and discovered that due to a road widening subdivision for the Warnervale Town Centre access road that occurred in 12 September 2014, this lot has changed description to Lot 41 DP 1200210 and the cadastre has changed to now reflect the road reserve. Note that there are not **6** different maps in WLEP 2013 – Major Amendment 1 that include Map_013 – there are only **4**.

All our versions of Map_013 for WLEP 2013 – Major Amendment 1 have been amended to reflect this change (attached). That is:

LRA_013

LSZ_013

LZN_013

OLS_013

The planning proposal has also been amended to reflect this new property description.

DP&E - Agree this matter is resolved.

✓

6. Land Zoning

- (a) Council land to be leased to Central Coast Mariners -Church Road, Delamere Ave and Second Ave, Tuggerah
- The summary seeks to include an additional permitted use Recreation Facility - Outdoor. Attachment 1 Council owned Land Zoning Review Discussion Paper seeks to include 'Recreation Facility - Outdoor' as well as 'Recreation Areas'. Page 19 of the PP Schedule 1 - Additional Permitted Uses Use of land at Tuggerah also includes the use 'Recreation Areas - Indoor'. Council should confirm the additional uses in the explanation of provisions and ensure consistency across its supporting documents.

All references to Recreation Facilities – Indoor has been removed, in both the PP and Attachment 1. The additional permitted uses requested are Recreation Areas and Recreation Facility – Outdoor.

DP&E - Agree this matter is resolved.

✓

- The land identified by Council contains 20 lots. The property descriptions should be clarified in the explanation of provisions of the PP and Appendix 1 as follows:
 - Lot 60 DP4008 - 8 Titania Ave
 - Lots 61-64, 71-73, 80-89 DP4008 - 121 Church St
 - Lot 74 DP4008 - 74 Delamere Ave
 - Lot 75 DP4008 - 5-11 Second Ave

All references to these sites has been amended to the format described above, in both the PP and Attachment 1.

DP&E - Agree this matter is resolved.

✓

- (b) 1 Tiembula Road, Chain Valley Bay. The lot identified by Council is Lot 1 DP22613 however the correct property description is Lot 1 DP 226133 and Council should confirm and update the property description accordingly. Council propose to rezone the site from E1 to E3 and include a small area of E2 on the site due to the presence on an EEC. No E2 zoned land is included in proposed zoning map and Council should amend the map accordingly.

The planning proposal has been amended to reflect the correct property description - Lot 1 DP226133 as opposed to Lot 1 DP 22613.

DP&E - Agree property description is fixed. However what about the E2 zoned land? The entire lot is zoned E3 on Council's proposed zoning map LZN_017 so where will this E2 zoned land apply on the lot?

Sorry - The map has been amended to include the small areas of E2 in the south and is attached to this email.

- (c) Land between Thompson and Pacific Streets, Long Jetty. Council propose to rezone a number of lots from R2 to B2 however Council has also included Lot 27 Sec 1 DP 13255 and Lot 26 Sec 1 DP 13255. These two lots are already zoned B2 and should be deleted.

Lot 27 Sec 1 DP 13255 and Lot 26 Sec 1 DP 13255 removed from Planning Proposal.

DP&E - Agree this matter is resolved.



- (d) 14W Tirriki Close, Buff Point. Council has identified 5 lots 774-778 DP31830 are to be rezoned. However there is a land parcel south of lot 778 that is included in the proposed mapping to be rezoned. Attachment 1 identifies this lot is a road and adjoins the residential zoning. Council should update the explanation of provisions in the PP and confirm the road parcel is also to be rezoned R2.

The planning proposal has been amended to reference the adjacent paper road.

DP&E - Agree this matter is resolved.



- (e) Colongra and Halekulani Oval Rezonings. Council has advised the Oval site will be rezoned from RE1 to B2, R1 and R2. However the explanation of provisions states Lot 1026 - 1027 DP 24049 will be zoned R1 whereas the zoning map indicates it will be zoned R2. Council should correct the error accordingly.

This error occurred due to miscommunication with the Planner in charge of this separate Planning Proposal currently being considered by DP&E. The planning proposal and Attachment 1 has been amended to refer to Lots 1026 and 1027 being zoned to R1 General Residential instead of R2 Low Density Residential. The mapping has also been updated to reflect the R1 General Residential zone and appropriate minimum lot size (no minimum) – see attached.

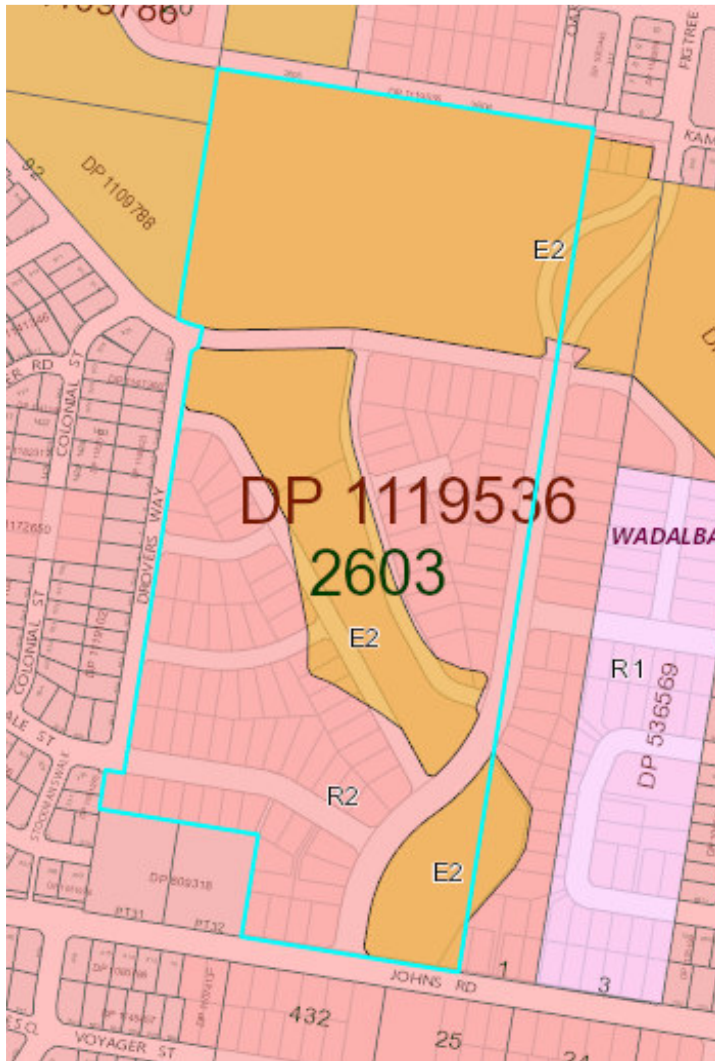
DP&E - Agree this matter is resolved.

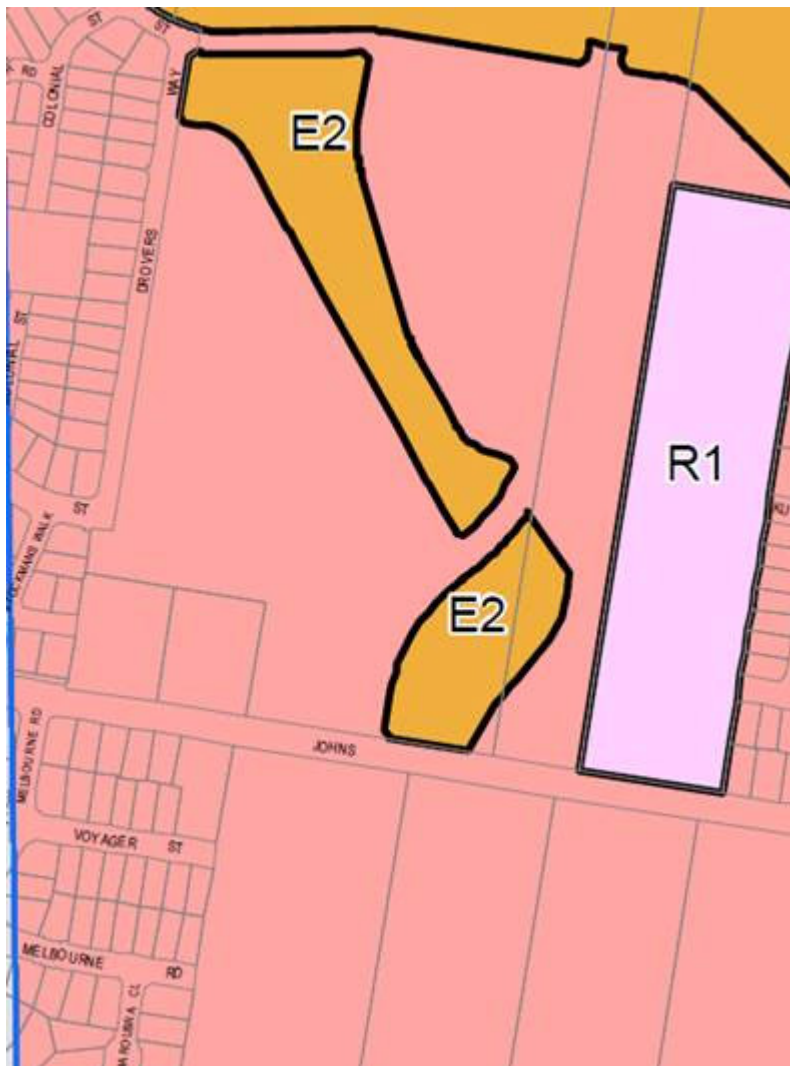


- (f) 1 Drovers Way, Wadalba. Council has advised it proposes to zone E2 to R2 for the portions of the property that are included in the residential subdivision and apply a 450m2 min lot size to the R2 zoned land. Council has not provided any evidence to support the rezoning (i.e DA approval for the subdivision or a map showing the subdivision layout so ensure the zone is consistent with the approved subdivision).

A map has been introduced into the Planning Proposal depicting the approved subdivision and the areas of E2 zone that currently impinge on small portions of the proposed residential allotments. I have also included an excerpt from the proposed amended map:

DP&E - Agree this matter is resolved.





(g) 155 Louisiana Road, Wadalba.

- Council seeks to rezone part of Council owned land from RE1 land to R1 at Mascord Park. The location has not been identified in Council's adopted affordable housing study and Council has advised it is appropriately located. There is no evidence of site selection criteria used to determine the appropriateness of the site for affordable housing. Council should provide an explanation on why the site was selected and criteria used to determine the location of affordable housing.

Site Assessment Criteria Methodology was utilised as described in the Wyong Shire Affordable Housing Study (2013). Development Sites for Affordable Housing were assessed with regard to the following criteria:

1. Ownership – is the site owned by Council or another public authority?
2. Zoning – Zoning is appropriate for the development of affordable housing
3. Current usage – The land is not currently used for other purposes
4. Area – The site is large enough to build a multi-dwelling housing or residential flat building development
5. Access to services – Whether the area is suitable for increased density with appropriate access to services such as public transport and shops

I have added this information to Attachment 1 – Council owned land.

DP&E - Agree this matter is resolved.

- Council has advised there is an over-supply of open space zoned lands in this part of the LGA and council consider this part of the site is surplus to community open space requirements. Council should provide an explanation of current and future open space requirements and provide justification for the removal of the public open space.

The planning proposal has been amended to include a discussion on the supply of open space requirements for the Warnervale District area.

DP&E - Agree this matter is resolved.



(h) 17W Moola Road, Buff Point

- Council seeks to rezone part of Council owned land at Buff Point Oval. The location has not been identified in Council's adopted affordable housing study and Council has advised it is appropriately located. There is no evidence of site selection criteria used to determine the appropriateness of the site. Further justification on site selection used to determine the location of affordable housing.

Site Assessment Criteria Methodology was utilised as described in the Wyong Shire Affordable Housing Study (2013). Development Sites for Affordable Housing were assessed with regard to the following criteria:

1. Ownership – is the site owned by Council or another public authority?
2. Zoning – Zoning is appropriate for the development of affordable housing
3. Current usage – The land is not currently used for other purposes
4. Area – The site is large enough to build a multi-dwelling housing or residential flat building development
5. Access to services – Whether the area is suitable for increased density with appropriate access to services such as public transport and shops

I have added this information to Attachment 1 – Council owned land.

DP&E - Agree this matter is resolved.



- Council should provide an explanation of current and future open space requirements and provide justification for the removal of the public open space.

The planning proposal has been amended to include a discussion on the supply of open space requirements for the Buff Point area.

DP&E - Agree this matter is resolved.

✓

- (i) The proposed zoning map LZN 013 has undone the B2 zoning and reintroduce a minimum lot size of 450m² for the Woolworths site at Wadalba Village Centre and should be corrected.

The mapping has been amended accordingly – see attached.

DP&E - Agree this matter is resolved.

✓

- (j) Implementation of Retail Study Recommendations - B1 to B4 Rezoning. The front half of 150-154 Main Road contains two property descriptions, Lot 62 DP651054 which appears correct and LI 3544482 which appears as an anomaly. Council should correct or delete the reference as required.

The planning proposal has been amended to remove the reference to LI 3544482.

DP&E - Agree this matter is resolved.

✓

- (k) Carters Road, Lake Munmorah
72 Carters Road (Lot 432 DP755266) The PP states that part of the land will be zoned from E3 to RU6. However the lot contains only E2 and RU6 land. The proposed zoning map shows a wedge of RU6 land being zoned E2. Council should clarify its intention with the lot and update the map and explanation of provisions accordingly.

The planning proposal has been amended to reference the correct zone (E2 Environmental Conservation). The proposed map is correct.

DP&E - Agree this matter is resolved.

✓

8. Land Use Table

- Home based child care. Council has identified in the summary the land use is listed as exempt development in certain zones. The land use is identified in the land use table as 'permitted without consent' not exempt development in certain zones and council should correct this error.

The planning proposal has been amended to refer to permitted with consent rather than exempt development. All other references were correct and remain unchanged.

DP&E - Agree this matter is resolved.

✓

9. Miscellaneous Provisions

- Remove the reference to Lot 9 DP 14527. Wyong LEP 2013 still has the lot identified in 5.1A Development on land intended to be acquired for public purposes. Given the lot has been acquired by Council the lot should be removed from this clause.

Duplicate issue – addressed under Part 5. Land Reservation Acquisition (above).

DP&E - Agree this matter is resolved.



10. Schedule 1 - Additional Permitted Uses

- Use of land at Tuggerah. Council needs to ensure consistency in the explanation of provisions. The addition uses identified in item 1 Mapping were Recreation Facility - Outdoor and Recreation Areas. Council are now including those uses in Item 1 and included a new use Recreation Areas - Indoor on Page 19 of the PP.

Planning Proposal has been updated to remove the reference to Recreation Areas - Indoor.

DP&E - Agree this matter is resolved.



11. Schedule 4 Reclassification

- There are some errors regarding property descriptions Canton Beach Lot 55 DP 2700 should be Lot 55 DP 27001. Gorokan Lot 11 DP27056 should be Lot 110 DP238805.

The reference to 16 Wattle Street is correct (Amend to Lot 55, DP 27001, 16 Wattle Street). All other references are correct, with the exception of the following amendment required:

- Gorokan - Lot 11, DP 27056, 40W Durham Road - Amend to Lot 110 DP 223805, 40 Durham Road
- Mannering Park - Lot 2, DP 502447, 1W Spencer Road - Amend to Lot 2, DP 502447, 32W Warwick Avenue

Planning Proposal has been updated to clarify these property descriptions.

DP&E - Agree this matter is resolved.



12. Public authority consultation

- Council has not nominated any state or Commonwealth public authorities that it may need to consult with. As required in "A guide to preparing planning proposals' p 16 Q11 Council needs to nominate the agencies it proposes to consult with. This will then be confirmed in the Gateway Determination.

Due to the breadth of issues involved in this Planning Proposal, I propose the following public authority consultation (Planning Proposal updated to make this clear):

- Central Coast Aero Club

2. Civil Aviation Safety Authority
3. Darkinjung Local Aboriginal Land Council
4. Delta Electricity
5. Department of Education and Communities
6. Department of Infrastructure & Regional Development (Federal)
7. Gosford City Council
8. Housing NSW
9. Lake Macquarie City Council
10. Mine Subsidence Board
11. NSW Department of Health
12. NSW Trade & Investment, Resources & Energy
13. NSW Trade & Investment, Primary Industries (Agriculture NSW)
14. NSW Trade & Investment, Business NSW
15. NSW Police Force
16. NSW Department of Premier and Cabinet
17. NSW Rural Fire Service
18. Office of Environment and Heritage - Environment Protection Authority
19. Office of Environment and Heritage - Heritage Office
20. Regional Development Australia
21. State Property Authority
22. Transport Construction Authority
23. Transport for NSW – Roads and Maritime Services
24. Transport for NSW – RailCorp
25. Transport for NSW – Aviation and Airports

DP&E - Item resolved.



13. Attachment 1 - Council owned Land Zoning Review Discussion Paper

Just one other item. This applies to Attachment 1 - Council owned Land Zoning Review Discussion Paper. The following sites below all make reference to the REDES scheme in the second paragraph at Question 6 - Is the planning strategy consistent with the local Council's Community Strategic Plan or other local strategic plan. Do you think this paragraph is necessary or accurate. I think the CCRS which you cover under question 5 already address this.

17W Moola Road, Buff Point

155 Louisiana Road, Wadalba

223 Scenic Drive, Colongra

14W Tirriki Close, Buff Point

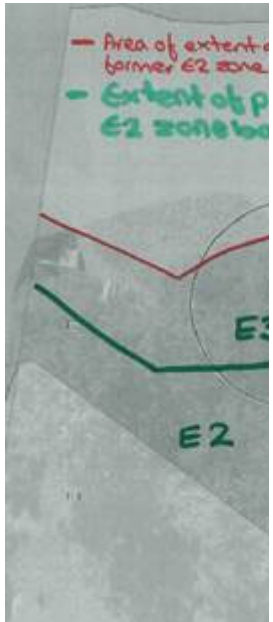
This has been removed as requested.

DP&E - Item resolved.



14. 1 Youngs Road, Ourimbah

I have also added an additional amendment to the Planning Proposal that has been requested by the owners of this property since the Planning Proposal was originally submitted, as follows:

17	1 Youngs Road, Ourimbah	As part of the preparation of Wyong LEP 2013, the Environmental Management Framework determined that generally all land identified to contain Endangered Ecological Communities should be zoned to E2 Environmental conservation. This site was converted from 7(a) (Conservation Zone) under WLEP 1991 to E2 Environmental Conservation and E3 Environmental Management accordingly. However, the EMF also states that in these instances, "the intent is to ensure any existing dwelling entitlement is retained." Due to the flood prone nature of a portion of this site (with a creek in the middle of the site separating the property into 2 sections), and the E2 zone over part of the site, the result is that the existing dwelling entitlement on this property has been removed. This needs to be rectified to ensure an appropriate dwelling envelope is created to enable development for the purpose of a residential dwelling as was permissible under WLEP 1991.	Rezone a small portion follows: 
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S.117s etc have also been updated to incorporate this amendment. See attached LZN_008.

DP&E - Additional rezoning item acknowledged.



Regards,

Kathryn

Kathryn Heintz

Senior Strategic Planner

Strategic Development

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From: Glenn Hornal [<mailto:Glenn.Hornal@planning.nsw.gov.au>]

Sent: Friday, 31 October 2014 4:10 PM

To: Heintz, Kathryn

Subject: Planning Proposal | Wyong LEP 2013 | Major Amendment 1 | PP_2014_WYONG_011_00

Kathryn,

I have some additional information requirements for this Planning Proposal. The explanation of provisions and mapping contains a number of matters requiring clarification or correction. Can you provide a response to the following matters:

1. Additional Permitted Uses

- APU Map_017 should be updated to include recent Wyong LEP 2013 Amendments 5 (removed Item 24) and Amendment 6 (added Item 28).

2. Drinking Water Catchment

- Lot 2 DP1000387 (102 Yarramalong Rd) is not included in the gazetted Drinking Water Catchment Map therefore should be removed from the PP.
- Lot 5 DP557014 (126 Yarramalong Rd) does not appear to be included in the gazetted map and therefore should be removed from the PP. Council should confirm this is the case.

3. Foreshore Building Line

Council has identified a number of properties that it wants included in the foreshore building line area and proposes to include them in the Foreshore Building Line Map. Council has advised under Wyong LEP 1991 the properties were affected by a foreshore building line which was fixed by a Council Resolution but not mapped in Wyong LEP 1991 therefore was not converted into Wyong LEP 2013 in error and it is proposed to reinstate the properties within the FBL mapping. The selection of the properties appear somewhat ad-hoc. Council should provide some explanation as to why these sites are included and other are not.

4. Height of Buildings

R2 Low Density Residential Zoned Land across the LGA. Council seek to amend all R2 zoned land from 8.5m to 9.5m height limit. Some R2 zoned land in the LGA does not have a maximum building height limit. Council should clarify that the increase in height would only apply to R2 zoned land where there is mapped 8.5m building height limit on the HOB map and wont apply to R2 land that is unmapped on HOB map.

5. Land Reservation Acquisition

RMS Sites

- Council has advised that sites required for acquisition by the RMS for the purposes of road widening were

received too late to incorporate into the exhibition of the its SI LEP. Council proposes to include the sites in the LRA Maps and also zone the sites SP2 Infrastructure - Classified Road. There are 10 Map tiles LRA and Zoning Map tiles that are affected. Council has advised there are too many sites to include in the explanation of provisions. Council is required to provide a list of the sites so the community can identify the proposed sites to be included for acquisition and rezoning. An attachment identifying the RMS sites would be sufficient.

Sites no longer required for acquisition

- Council has identified Lot 9 DP14527 (18 Manning Road, The Entrance) has been acquired by Council. Wyong LEP 2013 still has the lot identified in 5.1A Development on land intended to be acquired for public purposes. Given the lot has been acquired by Council the lot should be removed from this clause.
- 125-129 Warnervale Road, Hamlyn Terrace. It is not clear from the LRA map provided what area Council is changing given the resolution is not at a scale that can accurately define the area. Council should clarify what it is changing.
- 107 Sparks Road, Woongarra is identified as by Council as Lot 4 DP7738. However SIX maps identifies it as Lot 41 DP1200210. It appears the cadastre has also changed. Council should confirm the property description.

6. Land Zoning

- Council land to be leased to Central Coast Mariners -Church Road, Delamere Ave and Second Ave, Tuggerah

The summary seeks to include an additional permitted use Recreation Facility - Outdoor. Attachment 1 Council owned Land Zoning Review Discussion Paper seeks to include 'Recreation Facility - Outdoor' as well as 'Recreation Areas'.

Page 19 of the PP Schedule 1 - Additional Permitted Uses Use of land at Tuggerah also includes the use 'Recreation Areas - Indoor'. Council should confirm the additional uses in the explanation of provisions and ensure consistency across its supporting documents.

The land identified by Council contains 20 lots. The property descriptions should be clarified in the explanation of provisions of the PP and Appendix 1 as follows:

- Lot 60 DP4008 - 8 Titania Ave
- Lots 61-64, 71-73, 80-89 DP4008 - 121 Church St
- Lot 74 DP4008 - 74 Delamere Ave
- Lot 75 DP4008 - 5-11 Second Ave

- 1 Tiembula Road, Chain Valley Bay. The lot identified by Council is Lot 1 DP22613 however the correct property description is Lot 1 DP 226133 and Council should confirm and update the property description accordingly. Council propose to rezone the site from E1 to E3 and include a small area of E2 on the site due to the presence on an EEC. No E2 zoned land is included in proposed zoning map and Council should amend the map accordingly.
- Land between Thompson and Pacific Streets, Long Jetty. Council propose to rezone a number of lots from R2 to B2 however Council has also included Lot 27 Sec 1 DP 13255 and Lot 26 Sec 1 DP 13255. These two lots are already zoned B2 and should be deleted.
- 14W Tirriki Close, Buff Point. Council has identified 5 lots 774-778 DP31830 are to be rezoned. However there is a land parcel south of lot 778 that is included in the proposed mapping to be rezoned. Attachment 1 identifies this lot is a road and adjoins the residential zoning. Council should update the explanation of provisions in the PP and confirm the road parcel is also to be rezoned R2.
- Colongra and Halekulani Oval Rezonings. Council has advised the Oval site will be rezoned from RE1 to B2, R1 and R2. However the explanation of provisions states Lot 1026 - 1027 DP 24049 will be zoned R1 whereas the zoning map indicates it will be zoned R2. Council should correct the error accordingly.
- 1 Drovers Way, Wadalba. Council has advised it proposes to zone E2 to R2 for the portions of the property that are included in the residential subdivision and apply a 450m2 min lot size to the R2 zoned land. Council has not provided any evidence to support the rezoning (i.e DA approval for the subdivision or a map showing the subdivision layout so ensure the zone is consistent with the approved subdivision.

- 155 Louisiana Road, Wadalba. Council seeks to rezone part of Council owned land from RE1 land to R1 at Mascord Park. The location has not been identified in Council's adopted affordable housing study and Council has advised it is appropriately located. There is no evidence of site selection criteria used to determine the appropriateness of the site for affordable housing. Council should provide an explanation on why the site was selected and criteria used to determine the location of affordable housing.

Council has advised there is an over-supply of open space zoned lands in this part of the LGA and council consider this part of the site is surplus to community open space requirements. Council should provide an explanation of current and future open space requirements and provide justification for the removal of the public open space.

The proposed zoning map LZN 013 has undone the B2 zoning and reintroduce a minimum lot size of 450m² for the Woolworths site at Wadalba Village Centre and should be corrected.

- 17W Moola Road, Buff Point

Council seeks to rezone part of Council owned land at Buff Point Oval. The location has not been identified in Council's adopted affordable housing study and Council has advised it is appropriately located. There is no evidence of site selection criteria used to determine the appropriateness of the site. Further justification on site selection used to determine the location of affordable housing and further justification for the removal of the public open space is required.

- Implementation of Retail Study Recommendations - B1 to B4 Rezoning. The front half of 150-154 Main Road contains two property descriptions, Lot 62 DP651054 which appears correct and LI 3544482 which appears as an anomaly. Council should correct or delete the reference as required.

Carters Road, Lake Munmorah

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regards

Glenn

Glenn Hornal**Planning Officer, Hunter & Central Coast Region****Department of Planning and Environment | PO Box 1148 | Gosford NSW 2250****T 02 4348 5009 E Glenn.Hornal@planning.nsw.gov.au****Subscribe to the Department's e-news at www.planning.nsw.gov.au/enews****Please consider the environment before printing this email.**

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